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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, NOVEMBER 2, 2000

PETITION OF

UGI ENERGY SERVICES, INC.  
d/b/a GASMARK

CASE NO. PUE000575

For a Temporary Waiver of  
Competitive Service Provider  
Licensing Requirements

ORDER GRANTING REQUEST TO WITHDRAW

By letter filed with the Clerk of the State Corporation Commission ("Commission") on October 20, 2000, UGI Energy Services, Inc., d/b/a GASMARK ("GASMARK" or "the Company"), by counsel, requested a temporary waiver of Rule 20 VAC 5-311-50 of the Commission's Interim Rules Governing Electric and Natural Gas Retail Access Pilot Programs ("Interim Rules"). Interim Rule 20 VAC 5-311-50 addresses the licensure of competitive service providers and aggregators. In its request, GASMARK explained that effective October 1, 2000, it had by agreement with Conectiv Energy Supply, Inc. taken assignment of certain contracts to supply natural gas to retail customers, including a limited number of customer accounts on the Columbia Gas of Virginia, Inc. system and one account on Roanoke Gas Company's system. The Company represented that it was in the process of preparing an application and required supporting documents for a

license under the Interim Rules, but required a waiver of the Interim Rules so service to its customers in Virginia could continue until its application was acted upon by the Commission.

On October 30, 2000, GASMARK, by counsel, filed a Motion to withdraw its request for temporary waiver. GASMARK explained that it had discovered that the natural gas customers it was serving in Virginia were not participants in any retail choice pilot programs, but instead, were commercial and industrial customers who were receiving transportation service from local distribution companies in Virginia. The Company noted that it intended to file an application as a competitive service provider in the future and requested leave to withdraw its request for waiver.

NOW, UPON CONSIDERATION of GASMARK's request, the Commission is of the opinion and finds that this matter should be docketed; that the Company's Motion to withdraw its request for a waiver of the competitive service provider licensing requirements should be granted; and that this matter should be closed.

Accordingly, IT IS ORDERED THAT:

(1) This matter is hereby docketed and assigned Case No. PUE000575.

(2) GASMARK's October 30, 2000, Motion to withdraw its request for a waiver of the Interim Rules is granted.

(3) This matter shall be dismissed, and the papers filed herein shall be made a part of the Commission's file for ended causes.